

Claims 1-5 are pending in this application

**Rejection Under 35 U.S.C. §102(e)**

Claims 1 and 4 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 7,024,120 ("Reynolds"). Applicants respectfully traverse this rejection.

Reynolds fails to teach or suggest a wavelength-division-multiplexer metro optical network, including a transmitting unit having transmitters for directly modulating a light into digital optical signals with different wavelengths and outputting the modulated optical signals and a multiplexer for multiplexing the optical signals outputted from the transmitters and transmitting the multiplexed signal, as recited in claim 1.

Reynolds merely teaches direct modulation using multiple radio frequency signals that are sent from an antenna array (alleged transmitter) to a remote radio frequency measuring receiver. However, the radio frequency signals disclosed in Reynolds are analog signals. In contrast, the present claims teach directly modulating light into digital optical signals. The analog signals of Reynolds are not the same as the digital signals taught in the present claims. It is well known in the art that analog signals are comprised of sign waves and digital signals are comprised of 1's and 0's. In fact, they are so different that an apparatus designed to receive and transmit digital signals would not even recognize an analog signal unless a conversion process (converting the analog to digital) was also utilized. However, nowhere does Reynolds teach or suggest the use of digital signals or a conversion process.

For at least these reasons, independent claim 1, and its dependent claims, are patentable over the applied reference. Thus, withdrawal of the rejection of claims under 35 U.S.C. §102(e) is respectfully requested.

**Rejection Under 35 U.S.C. §103(a)**

Claims 2, 3 and 5 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Reynolds in view of U.S. Patent No. 6,577,800 ("Sarchi").

However, this rejection is considered moot in view of the above deficiencies of Reynolds that are not remedied by any aspect of Sarchi. Thus, withdrawal of the rejection of claims 2, 3 and 5 under 35 U.S.C. §103(a) is respectfully requested.

**Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Kevin K. Jones  
Registration No. 56,809

JAO:KKJ/hs

Date: February 28, 2007

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--